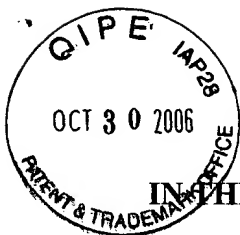




17712 U.S. PTO



09/985,836

IFW

PATENT

ATTORNEY DOCKET NO.: 46970-5126-01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
U.S. Patent and Trademark Office
Alexandria, VA 22314

PRIOR APPLICATION: Examiner: J. Ortiz-Criado
Group Art Unit: 2655

CONTINUATION PATENT APPLICATION TRANSMITTAL UNDER 37 C.F.R. § 1.53(b)

This is a request for filing a continuation patent application under 37 C.F.R. § 1.53(b).

1. This application is a [☒] Continuation [] Divisional [] Continuation-in-Part patent application under 37 C.F.R. § 1.53(b), of pending prior application no. 09/985,836, filed on November 6, 2001.

Inventor(s): Kiyoshi TATEISHI

For: OPTICAL RECORDING MEDIUM, INFORMATION RECORDING APPARATUS, AND INFORMATION REPRODUCING APPARATUS

2. The papers enclosed are as follows:

54 Page(s) of Specification including:
 0 Title Page
 41 Page(s) of Description
 12 Page(s) of Claims
 1 Page of Abstract
5 Sheet(s) of drawings containing 9 Figure(s)
 Other: _____
59 TOTAL APPLICATION SHEETS

10/31/2006 HDEBT01 00000075 11589243
04 EC:1252 450.00 OP

11/01/2006 MBLANCO 00000003 09985836
01 FC:1252 450.00 OP

3. Amendments

- ☒ A preliminary amendment is enclosed. Please enter this preliminary amendment before calculating the filing fee.
- ☒ Relate Back: The Preliminary Amendment identified above amends the specification to include a cross-reference to a prior related application.

4. Oath or Declaration

- ☐ A newly executed (original or copy) oath or declaration is enclosed.
- ☒ A copy of an oath or declaration from a prior application is enclosed under 37 C.F.R. § 1.63(d). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- ☐ Not Enclosed. This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for filing the Declaration.
- ☐ A signed statement deleting inventor(s) named in the prior application is enclosed.

5. Priority - foreign applications under 35 U.S.C. § 119(a)-(d) or § 365(b) or PCT international applications under 35 U.S.C. § 365(a) designating at least one country other than the U.S.

- ☒ Priority of the following foreign application(s) is/are claimed:

Country	Application No.	Filed
Japan	2000-337582	November 6, 2000

Certified copy(ies): ☐ is/are attached.
☐ will follow.
☒ was/were filed in prior Application No. 09/985,836 on
November 6, 2001.

6. Assignment

☒ The prior application is assigned of record to **PIONEER CORPORATION**, recorded November 6, 2001, at Reel/Frame 012299/0153.

☐ The prior application is not assigned.

For continuation-in-part applications:

☐ An assignment of the invention to _____ and a PTO Form-1595, Recordation Form Cover Sheet, are enclosed.

7. Small Entity Status

☐ Small entity status under 37 C.F.R. § 1.27 is hereby asserted for the present application.

8. Fee Calculation (37 C.F.R. § 1.16)

	Number Filed	Number Extra	at Rate of	Basic Fee Utility \$300.00
			BASIC FEE	300.00
Total Claims (37 C.F.R. §1.16(c))	19-20	0	50.00	0.00
Independent Claims (37 C.F.R. §1.16(b))	3-3	0	200.00	0.00
Multiple dependent claim(s), if any (37 C.F.R. §1.16(d))			360.00	0.00
Application Size Fee- \$250.00 for each additional 50 sheets that exceeds 100				0.00
Search Fee			\$500.00	500.00
Examination Fee			\$200.00	200.00
SUB-TOTAL =				1,000.00
Reduction by 1/2 for filing by a small entity				
SUB-TOTAL =				1,000.00
Assignment Recordation Fee			\$40.00	
TOTAL FILING FEE =				1,000.00

9. Fee Payment

- ☐ Not Enclosed. **NO FEE IS BEING PAID BY CHECK OR DEPOSIT ACCOUNT AT THIS TIME.** This application is being filed under the provisions of 37 C.F.R. § 1.53(f). Applicant(s) await notification from the Patent and Trademark Office of the time set for paying the filing fees.
- ☒ Enclosed is a check in the amount of **\$1,450.00** (representing \$300.00 application filing fee, \$500.00 search fee, \$200.00 examination fee, and \$450.00 extension of time fee).
10. ☐ The power of attorney in the Prior Application is to at least one of the registered practitioners of Drinker Biddle & Reath LLP included in the Customer Number provided below to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected therewith, and all correspondence shall be addressed to that Customer Number.

Please address all correspondence to Drinker Biddle & Reath LLP at **Customer Number: 055694**

11. ☐ Recognize as associate attorney _____.
(name, address, and registration no.)
12. ☒ **PETITION FOR EXTENSION OF TIME.** If any extension of time is necessary for the filing of this application, including any extension in the prior application, application no. 09/985,836 filed on November 6, 2001, for the purpose of maintaining copendency between the prior application and the present application, and such extension has not otherwise been requested, such an extension is hereby requested, and the Commissioner is authorized to charge necessary fees for such an extension to Deposit Account No. 50-0573.
13. ☒ **EXCEPT** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

14. Additional papers enclosed:

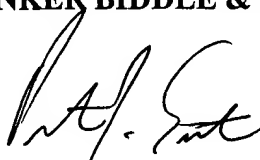
- ☒ Preliminary Amendment
- ☒ Information Disclosure Statement
- ☒ Form PTO-1449, references cited thereon not included
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.

Respectfully submitted,

DRINKER BIDDLE & REATH LLP

Date: October 30, 2006

By:



Peter J. Sistare
Registration No. 48,183

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